



COMMONWEALTH of VIRGINIA
Department of Education

DATE: September 1, 2017
TO: Division Superintendents
FROM: Steven R. Staples, Superintendent of Public Instruction
SUBJECT: **Mandatory Notification of Opt-out Process for Student Directory Requests from Armed Forces Recruiting and Institutions of Higher Education**

The purpose of this memorandum is to bring to your attention a provision in the Every Student Succeeds Act of 2015 (ESSA) of which your school division may be unaware. The ESSA requires each school division to proactively notify parents of their option to opt-out from student information being provided to military recruiters or institutions of higher education.

As was previously required in the No Child Left Behind Act, the ESSA continues to require each local school division to provide, upon request made by a military recruiter or an institution of higher education, access to certain secondary student directory information, unless the parent has opted out from the release of such information. **However, the ESSA now requires that each local school division must notify parents of their option to opt-out.**

Please see [20 USC 7908](#) for the full text of these provisions.

If you have questions regarding this information, please contact the Policy Office at policy@doe.virginia.gov or (804) 225-2092.

SRS/EMM/bj